

REMARKS

This is in response to the Office Action mailed on November 3, 2004, and the references cited therewith.

Claims 1, 12, and 20-25 are amended; as a result, claims 1-25 are now pending in this application.

§102 Rejection of the Claims

Claims 1, 3-4, 6-8 and 12-25 were rejected under 35 USC § 102(b) as being anticipated by Nazem et al. (U.S. 5,983,227). It is of course fundamental that in order to sustain an anticipation rejection that each and every step or element in the rejected claims must be taught or suggested in the cited reference.

Nazem is directed to improving the automation, customization, and performance associated with a customized web page for a yahoo user. In Nazem, a web page template is customized by a user as to layout and presentation. The "live data" is then dynamically populated to a user-defined template when a user accesses his/her "front page." The front page is a web page populated with the live data in accordance with the user-defined template for presentation.

Contrary to the Examiner's assertion that a session is taught in Nazem, Applicants assert that if a session is taught at all in Nazem it is not a login session. A login session is now positively recited in Applicants' amended independent claims.

More particularly, the Examiner has cited column 3 lines 15-21 for the proposition that Nazem teaches a session. This reference simply refers to an independent page server's ability to determine from where a request for a page is originating for purposes of acquiring the correct user template and corresponding live data. This interpretation is supported in the paragraphs that follow the Examiner's reference, such as column 3 lines 40-47 where it is discussed how the page server resolves the file name of a particular request based on a user's identification cookie.

The entire disclosure of Nazem assumes that a user is already logged into the page server or system that supports the page server. There is not a single reference or a suggestion of a reference where a user's login is discussed or handled. The login is assumed to have occurred

IN THE DRAWINGS

Corrected drawings are supplied herewith.

Enclosed are copies of Figure 6-16 of the drawings.

Applicants note that due to an oversight the FIGS. were originally numbered incorrectly as 1-6 and 7-17; suggesting that a FIG. 6 was missing. In fact, FIG. 7 should be FIG. 6 and the FIGS. should be renumbered accordingly as 6-16. These replacement sheets are provided with the correct numbering with this response. FIGS. 1-5 have not changed and are therefore not being resubmitted herewith. The appropriate amendments to the specification are also included herein and below. Therefore, Applicants believe that this objection is no longer appropriate.

previously. This is so, because Nazem is dealing with a web page service that is operational within a system that may or may not require a login. Nazem does not address customizing a login experience with login preference information because Nazem does not address logins at all.

This point has now been highlighted by the Applicants with the above amendments to the independent claims. Accordingly, Applicants assert that the present rejection cannot be sustained and should be withdrawn. Applicants respectfully request an indication of the same.

§103 Rejection of the Claims

Claims 2, 5 and 9-10 were rejected under 35 USC § 103(a) as being unpatentable over Nazem et al. in view of My Yahoo ("Wayback Machine," 12/12/1998). Claims 2, 5, and 9-10 are dependent from amended independent claim 1. Thus, for the amendment and remarks presented above with respect to claim 1, the rejections with respect to claims 2, 5, and 9-10 should be withdrawn.

Claim 11 was rejected under 35 USC § 103(a) as being unpatentable over Nazem et al. in view of Godin et al. (U.S. 5,890,138). Claim 11 is dependent from amended independent claim 1. Therefore, the amendment and remarks presented above with respect to claim 1, the rejection with respect to claim 11 should be withdrawn.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

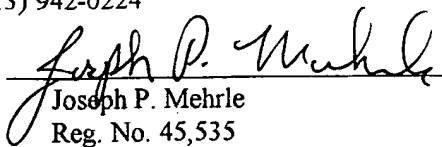
JENNIFER PEARSON ET AL.

By their Representatives,

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Date 1-31-05

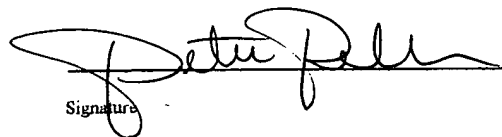
By


Joseph P. Mehrle
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 31 day of January, 2005.

Peter Rubuffini

Name


Signature